

Message Text

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43

ACTION L-03

INFO OCT-01 IO-13 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01

COA-02 EB-11 OIC-04 ADP-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 COME-00 CG-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

RSR-01 /247 W

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R 211215Z JUL 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 644

INFO USMISSION USUN NEW YORK

AMEMBASSY COPENHAGEN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY NICOSIA

AMEMBASSY TOKYO

AMEMBASSY TUNIS

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TAGS: PBOR, US

SUBJ: LOS: SEABEDS MEETING, SUBCOMMITTEE II AND

WORKING GROUP, JULY 18, 1973

1. CHAIRMAN OF SUBCMTE II WG REPORTED TO SUBCMTE II ON PROGRESS OF WORK THIS SESSION. US INTRODUCED DRAFT ARTICLES ON COASTAL SEABED ECONOMIC AREA. UK SUPPORTED 200 MILES OF EDGE OF MARGIN FOR OUTER LIMIT OF SEABED JURISDECTION JAPAN FAVORED EQUIDISTANCE PRINCIPLE FOR DELIMITATION.

2. CHARIMAN OF WG, AMB KEDADI OF TUNISIA IDENTIFIED

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THREE STAGES IN ITS PROGRESS OF WORK. FIRST WAS AGREE-

ING ON METHODS OF PROCEDURE OR ORGANIZATIONAL ASPECTS. SECOND WAS SETTING TIME LIMIT FOR SUBMISSION OF PROPOSALS AND FOR PRODUCTION OF DRAFTS ON SUBSTANTIVE ISSUES. THIRD STAGE OF NEGOTIATION AND DECISIONS HAD BEEN REACHED. (HE REVIEWED SUBSTANTIVE DISCUSSION TO DATE). CHAIRMAN POINTED OUT THAT WG HAD DEALT WITH QUESTION OF TERRITORIAL SEA AT MARCH SESSION AND WAS NOW EXCHANGING VIEWS ON CONTINENTAL SHELF, ECONOMIC ZONE, AND PREFERENTIAL RIGHTS OF STATES. WG COULD REVERT TO TERRITORIAL SEA DISCUSSION ONCE ATTENTION COULD FOCUS ON CONSOLIDATED TEXT. AT APPROPRIATE TIME, ANOTHER CONSOLIDATED TEXT WOULD BE AVAILABLE ON CONTINENTAL SHELF AND ECONOMIC ZONES. STEADY PROGRESS WAS BEING MADE IN WG TOWARD FINAL PHASE OF WORK WHICH WAS DRAFTING OF ARTICLES. ATMOSPHERE OF GOOD WILL PREVAILED AND DEBATES WERE CONSTRUCTIVE AND USEFUL.

3. CYPRUS ARGUED FOR DELIMITATION BY MEDIAN LINE, FOR ISLANDS, NOTING THAT THIS POSITION WAS LIMITED TO TERRITORIAL SEA NOT CONTINENTAL SHELF RIGHTS AT THIS TIME. TUNISIA EXPRESSED CONTRARY VIEW ON ENTITLEMENT OF ISLANDS.

4. US REP (JOHN R. STEVENSON) DELIVERED EXPLANATORY STATEMENT INTRODUCING DRAFT ARTICLES ON COASTAL SEABED ECONOMIC AREA. TEXT OF SPEECH AND ARTICLES FOLLOWS DEPARTMENT SEPARATELY.

5. USSR MADE LENGTHY STATEMENT INTRODUCING DRAFT ARTICLES PERTAINING TO THE OUTER LIMIT OF CONTINENTAL SHELF. ARTICLES PROVIDE FOR OUTER BOUNDARY OF 500-METER ISOBATH OR 100 MILES, WHICHEVER IS GREATER. SOVIETS STRONGLY DEFENDED EXISTING REGIME OF CONTINENTAL SHELF AND ASSERTED IT WAS SCIENTIFICALLY BASED ON GEOLOGY, GEOGRAPHY AND GEOMORPHOLOGY. REP ASSERTED THAT 200-MILE LIMIT WOULD COVER 93 PCT OF HYDROCARBON POTENTIAL, LEAVING LITTLE FOR INTERNATIONAL AREA. DEVELOPING COUNTRIES WOULD BE HARMED BECAUSE THERE WOULD BE NO ACCESS TO MEANINGFUL MINERAL DEPOSITS THROUGH INTERNATIONAL MACHINERY OF AUTHORITY. IN AD-

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DITION THOSE WITH SHELVES LOW ON ECONOMIC RESOURCE POTENTIAL WOULD BE HARMED. EXTENSION OF RIGHTS TO 200 MILES WOULD DIRECTLY BENEFIT ONLY SMALL GROUP OF STATES INCLUDING SOVIET UNION.

6. UK OPENED AFTERNOON SESSION OF WORKING GROUP OF WHOLE BY CLARIFYING ITS POSITION ON OUTER LIMIT OF CONTINENTAL SHELF. UK FAVORED SEABED LIMIT EITHER

OF 200 MILES OR OUTER EDGE OF CONTINENTAL MARGIN,
WHICHEVER WAS GREATER.

7. JAPANESE REP (PROFESSOR ODA) DISCUSSED DELIMITATION OF CONTINENTAL SHELF BETWEEN OPPOSITE AND ADJACENT STATES. HE REFERRED TO RELEVANT PROVISIONS OF CONVENTION ON TERRITORIAL SEA AND CONTIGUOUS ZONE AND CONVENTION ON CONTINENTAL SHELF. HE NOTED EMERGING CONSENSUS ON SINGLE, UNIFORM DISTANCE CRITERION FOR OUTER LIMIT. JAPAN FAVORED EQUIDISTANCE AS EQUITABLE METHOD OF DELIMITATION WHICH SHOULD BE ADOPTED AS GENERAL RULE. ALTERNATIVELY, RULES IN ARTICLE 6 OF SHELF CONVENTION COULD BE RETAINED WITHOUT FURTHER ELABORATION. ODA WAS CRITICAL OF VAGUE NOTIONS SUCH AS SPECIAL CIRCUMSTANCES EXCEPTION AND AUSTRALIA/NORWAY PROPOSAL ON DELIMITATION.

8. TURKEY SPOKE ONCE AGAIN IN FAVOR OF APPLICATION OF SPECIAL CIRCUMSTANCES APPROACH TO ISLANDS MARITIME BOUNDARIES. REP POINTED OUT THAT MEDIAN LINE WAS ACCEPTABLE BUT NOT AS SINGLE RULE FOR ALL CASES.

9. DANISH REP DISCUSSED EXISTING RULES FOR SHELF DELIMITATION AND NOTED THAT EQUIDISTANCE PRINCIPLE HAD GAINED GENERAL RECOGNITION. HOWEVER, ISLANDS SHOULD NOT BE GIVEN FULL ENTITLEMENT IN ALL CASES. TEST FOR SPECIAL CIRCUMSTANCES SHOULD BE WHETHER OR NOT ISLAND CAUSED DISPROPORTIONATELY DISTORTING EFFECTS JUSTIFYING DEVIATION FROM GENERAL RULE. ROMANIA AGREED THAT MEDIAN LINE SHOULD NOT BE APPLIED AUTOMATICALLY. URUGUAYAN REP THEN STATED THAT TURKISH PROPOSAL WEAKENED MEDIAN LINE RULE

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WHICH HAD GREATER STRENGTH IN GENEVA CONVENTIONS. BASSIN

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